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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 STEVEN PATRICK FAGNANT,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

14 Defendant.
15

CASE NO. 11-cv-05877 JRC

ORDER GRANTING
DEFENDANT'S STIPULATED
MOTION FOR REMAND

16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate
18 Judge and Consent Form, ECF No. 3; Consent to Proceed Before a United States Magistrate
19 Judge, ECF No. 4.) This matter is before the Court on Defendant's stipulated motion to remand
20 the matter to the Commissioner for further consideration. (ECF No. 14.)

21 After reviewing Defendant's stipulated motion and the remaining record, the Court
22 hereby grants Defendant's motion, and reverses and remands this matter to the Commissioner
23 pursuant to sentence four of 42 U.S.C. § 405(g).
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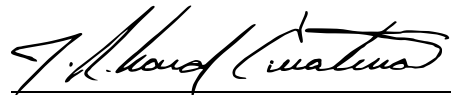
1 On remand, the ALJ will hold a *de novo* hearing and Plaintiff may raise any issue. The
2 ALJ will: (1) update the medical record with existing evidence from treating sources,
3 including medical source statements; (2) reevaluate medical source opinions of record,
4 particularly the opinions of Drs. Hwang, LaRue, Wanwig, Johnson, and Peter Brown; (3)
5 reevaluate the physical capacity evaluation evidence of Christina Casady, OTR/L, M.Ed.; (4)
6 obtain testimony from medical experts specializing in psychiatry and internal medicine, to
7 clarify the nature and severity of Plaintiff's impairments; (5) consider all of Plaintiff's physical
8 and mental impairments in combination at steps 2 and 3 of the sequential evaluation process;
9 (6) reevaluate Plaintiff's credibility and residual functional capacity; and (7) continue the
10 sequential evaluation process, obtaining supplemental vocational expert testimony if
11 warranted.

12 Following proper presentation, this Court will consider Plaintiff's application for costs
13 and attorney's fees pursuant to 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

14 Given the facts and the parties' stipulation, the Court hereby orders that the case be
15 **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

16 JUDGMENT is entered for Plaintiff, and this case is closed.

17 Dated this 5th day of April, 2012.

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20 J. Richard Creatura
21 United States Magistrate Judge
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